

May 26, 2016

SUMMARY OF TECHNICAL CORRECTIONS & AMENDMENTS **OFFERED TO THE DEFENSE APPROPRIATIONS BILL**

1. Report language for Senator Graham regarding technology procurement.
2. Report language for Senators Tester, Daines, and Hoeven regarding UH-1 replacement.
3. Report language for Senator Moran regarding Long Range Strike Bomber.
4. Report language for Senators Schatz, Murray and Collins regarding long-term temporary per diem.
5. Report language for Senator Daines regarding Cyber Command.
6. Report language for Senator Udall regarding Third Offset and federally funded research and development centers.
7. Report language for Senator Feinstein regarding robotic servicing of geostationary satellites.
8. Bill language for Senator Reed regarding demilitarization of surplus firearms.

1. For Senator Graham:

Report language:

On page 63 of the report, following the section on RQ-7 Shadow, the report language is amended by inserting "*Technology Procurement*.—The Committee is concerned about the procurement of sensitive technologies (hardware, software, and services) and the potential transfer to nation states of concern. Further, the Committee directs the Department of Defense to provide a briefing to the congressional defense committees on plans to mitigate risks posed by the procurement of sensitive technologies."

2. For Senators Tester, Daines, and Hoeven:

Report Language:

On page 128 of the report, the report language is amended by striking the section on UH-1 Replacement and replacing it with the following: "*UH-1 Replacement*.—The Committee recognizes the urgent need to replace the current Air Force fleet of UH-1N aircraft supporting the emergency response mission of the intercontinental ballistic missile (ICBM) sites. Therefore, the Committee recommends \$75,000,000 for the Air Force and directs the Air Force to expedite procurement of replacement aircraft in compliance with 10 U.S. Code 2304.

Additionally, the Committee directs the Commander of the United States Strategic Command [USSTRATCOM], not later than 30 days after the date of enactment of this act, to submit a classified report to the congressional defense committees that includes 1) a description of potential threats to the security of ICBM sites as a result of the UH-1N not meeting current mission requirements; 2) a list of helicopter capabilities needed to meet current mission requirements; 3) the minimum number of aircraft needed for emergency response mission; and 4) an assessment of the security risks associated with any shortfalls identified.

Therefore, until the UH-1N aircraft supporting the ICBM sites are replaced, the Committee directs the Secretary of Defense, in coordination with the Secretary of the Air Force, Secretary of the Army, and the Chairman of the Joint Chiefs of Staff, to mitigate the air support security risks with additional air support. Further, the Committee directs the Secretary of Defense, not later than 180 days after the date of enactment of this act, to submit a report, with certification from the Commander, USSTRATCOM, that the security risk mitigation actions taken do effectively address the shortfalls identified by the report from USSTRATCOM."

3. For Senator Moran:

Report Language:

On page 185 of the report, at the end of the section titled Long Range Strike Bomber, the report language is amended by inserting "In addition, the Committee designates the long range strike bomber program as a congressional special interest item for purposes of transfer of funds and prior approval reprogramming procedures."

4. For Senators Schatz, Murray and Collins:

Report Language:

On page 50 of the report, the report language is amended by striking the section entitled “Long-Term Temporary Per Diem.” and inserting “*Long-Term Temporary Per Diem.*—In November, 2014, the Department of Defense [DoD] implemented a change to the Joint Travel Regulation [JTR] cutting per diem rates during long-term temporary duty travel. The Committee is concerned about the effect of the flat rate per diem policy on long-term temporary duty travelers. This policy has discouraged experienced employees of shipyards, depots, and arsenals from across the DoD from volunteering to fulfill mission critical requirements due to concerns of paying for expenses related to official travel out of pocket. The Committee is aware of legislative proposals and administrative policy that allow DoD to waive the flat rate per diem. However, the Committee is concerned that this waiver authority has generated greater uncertainty in the DoD workforce, particularly since the authority is split across proposed legislation and administrative policy, with meals and incidentals covered by pending legislation, and lodging by policy. Moreover, the Committee is concerned that these various waiver authorities create additional obstacles that discourage DoD’s most experienced professionals from volunteering for mission essential work. The Committee worries that this affects the savings that accrue to DoD by adding maintenance days as a result of having less experienced workers volunteering for long-term missions.

The Committee notes that section 623 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-49) directed a review by the Comptroller General of the United States on the impact DoD’s long-term temporary duty per diem policy has on affected employees. The Committee will carefully consider the findings of this review and will continue to work with stakeholders on potential policy changes, including a reversal of the flat rate per diem policy on long-term temporary duty travel if such a change becomes prudent. While the Committee awaits the results of that study, DoD is encouraged to allow the Service Secretaries to waive the per diem rates of long-term duty travelers up to the full amount based on actual costs incurred.”

5. For Senator Daines:

Report Language:

On page 48 of the report, following the section on Air Force Weather Monitoring, the report language is amended by inserting, “*Cyber Command Elevation.*—The Committee understands that the Department of Defense and Congress are considering elevating Cyber Command to a full Combatant Command. The Committee recognizes that if such a transition takes place, it will take time to develop staffing plans, hire and clear needed personnel, and transfer military personnel to the new Command. The Committee believes that funds from within the fiscal year 2017 budget for Cyber Command are sufficient to meet the Command’s early needs. The Committee expects that additional funds will be needed in fiscal year 2018 to support an elevated Cyber Command and directs the Secretary of Defense to present its plan for necessary funding in the fiscal year 2018 budget request if Cyber Command elevation is approved.”

6. For Senator Udall:

Report Language:

On page 202 of the report, before the Missile Defense Agency heading, the report language is amended by inserting “*Third Offset and Federally Funded Research and Development Centers.*—The Committee recognizes that many government Federally Funded Research and Development Centers [FFRDCs] are developing cutting-edge technology that could be used for defense purposes in support of the Secretary of Defense’s Third Offset Strategy. The research and development investments being conducted by many FFRDCs, including the national security labs, are often classified or include contract work with small businesses that are accustomed to working with the Department of Defense and other government agencies. As the Department of Defense works to support the acceleration of the fielding or commercialization of offset technologies to counter the technological advantage of potential adversaries, the Committee urges the Department of Defense to include FFRDCs in its offset strategy and to commit to increased partnerships with FFRDCs and the small businesses which support them.”

7. For Senator Feinstein:

Report Language:

On page 202 of the report, before the Missile Defense Agency heading, the report language is amended by inserting “*Robotic Servicing of Geostationary Satellites.*—The Committee supports the Defense Advanced Research Project Agency’s [DARPA] efforts to work with industry to develop and demonstrate robotic satellite servicing technologies in geostationary orbit. DARPA’s work is complementary to the National Aeronautics and Space Administration [NASA] Restore-L mission to demonstrate robotic satellite servicing in low Earth orbit [LEO]. NASA’s Restore-L and DARPA’s planned Robotic Servicing of Geostationary Satellites [RSGS] will both demonstrate key technologies and enable a commercially provided sustained servicing capability to inspect, repair, relocate and add payloads to satellites. The Committee is hopeful that NASA’s Restore-L, RSGS and the subsequent commercial partners will foster a more capable and resilient space architecture for the US Government and US commercial satellite industry.”

8. For Senator Reed:

Bill Language:

On page 48 of the bill, at the end of section 8017, the bill language is amended by inserting “except as provided by any other provision of law.”

For each of these changes, make the conforming technical corrections in the tables in the report and other number totals throughout the report and bill.